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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/539,482	03/30/2000	Kenneth R James	ADAPP120	8403

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EXAMINER

RONES, CHARLES

ART UNIT	PAPER NUMBER
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2175

DATE MAILED: 12/24/2003

16

Please find below and/or attached an Office communication concerning this application or proceeding.

8

Office Action Summary

Application No.

09/539,482

Applicant(s)

JAMES, KENNETH R

Examiner

Charles L. Rones

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-21 and 23-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-21 and 23-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Amendment

The amendment timely filed on September 22, 2003 has been entered.

Claim Objections

Claim 15 is objected to because of the following informalities: Line 2 states "at least one a group" which should likely be --at least one of a group--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5-21, and 23-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Takeda U.S. Patent No. 4,760,526 ('Takeda').

Takeda discloses:

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As to claim 1,

examining a set of files selected to be recorded on the optical disc; See 2:5-54; 8:20-53; 9:1-46;

creating a record data structure for each file in the set of files to be recorded on the optical disc; See 2:5-54; 8:20-53; 9:1-46;

generating a set of pointers to associate the record data structures with a writing order, the set of pointers defining a dynamically sequenced list of record data structures; See 2:5-54; 8:20-53; 9:1-46;

processing each of the record data structures one after another in the writing order according to the dynamically sequenced list of record data structures to produce ordering data structures for each file in the set of files, the ordering data structures being a record of pointers to a source data file with each file in the set in the set of files having a corresponding ordering data structure; See 2:5-54; 8:20-53; 9:1-46; and

processing the ordering data structures to write the set of files onto the optical disc in the writing order; See 2:5-54; 8:20-53; 9:1-46;

wherein the source data file is data file in the set of files at a source location from which it is read to be recorded on the optical disc; See 2:5-54; 8:20-53; 9:1-46.

As to claim 2,

wherein the record data structure includes one or more of a group of information strings comprising a file parent, a volume label index, a file size, a logical block number

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of a data file, a file path, a file attributes, a data mode, a removable media indicator, an embedded subheader string, and an imported file indicator; See .

As to claim 3,

designating data files to be written to system cache memory; See 2:5-54; 8:20-53; 9:1-46;

assigning data files designated to be written to system cache memory to a specific location in system cache memory; See 2:5-54; 8:20-53; 9:1-46;

verifying that the record data structures accurately define each of the set of files; See 2:5-54; 8:20-53; 9:1-46.

As to claim 5,

wherein the pointers include one or more of a group of information strings referencing source data files and including a file source path, a file start offset, a file end offset, and a file pad to size; See 2:5-54; 8:20-53; 9:1-46.

As to claim 6,

wherein the processing of the ordering data structures includes passing the ordering data structures to a CD recording engine, the CD recording engine writing the set of files onto the optical disc in the writing order; See 2:5-54; 8:20-53; 9:1-46.

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As to claim 7,

receiving a request to write the set of files; See 2:5-54; 8:20-53; 9:1-46.

As to claim 8,

wherein the method is executed by computer executing code that defines a file system database block; See 2:5-54; 8:20-53; 9:1-46.

As to claim 9,

generating a set of pointers to associate record data structures with a writing order, the set of pointers defining a dynamically ordered list of record data structures; See 2:5-54; 8:20-53; 9:1-46;

processing each of the record data structures one after another in the writing order to produce ordering data structure for each file in a set of files to be recorded onto the optical disc, each ordering data structure being a record of pointers to a source of data for recording onto the optical disc; See 2:5-54; 8:20-53; 9:1-46; and

processing each ordering data structure to write the set of files onto the optical disc in the writing order defined by the dynamically ordered list of record data structures; See 2:5-54; 8:20-53; 9:1-46.

As to claim 10,

examining the set of files selected to be recorded onto the optical disc; See 2:5-54; 8:20-53; 9:1-46.

As to claim 11,

creating a record data structure for each file in the set of files to be recorded onto the optical disc; See 2:5-54; 8:20-53; 9:1-46.

As to claim 12,

wherein the record data structure includes one or more of a group of information strings comprising a file parent, a volume label index, a file size, a logical block number of a data file, a file path, a file attributes, a data mode, a removable media indicator, an embedded subheader string, and an imported file indicator; See 2:5-54; 8:20-53; 9:1-46.

As to claim 13

designating data files to be written to system cache memory; See 2:5-54; 8:20-53; 9:1-46;

assigning data files designated to be written to system cache memory to a specific location in system cache memory; See 2:5-54; 8:20-53; 9:1-46;

verifying that the record data structures accurately define each of the set of files; See 2:5-54; 8:20-53; 9:1-46.

As to claim 14,

wherein each ordering data structure include a pointer to a corresponding source file; See 2:5-54; 8:20-53; 9:1-46.

As to claim 15,

wherein the pointers includes at least one a group of information strings referencing the corresponding source file and including a file source path, a file start offset, a file end offset, and a file pad to size; See 2:5-54; 8:20-53; 9:1-46.

As to claim 16,

wherein the processing of the ordering data structures includes passing the ordering data structures to a CD recording engine, the CD recording engine writing the set of files onto the optical disc in the writing order; See 2:5-54; 8:20-53; 9:1-46.

As to claim 17,

receiving a request to write the set of files; See 2:5-54; 8:20-53; 9:1-46.

As to claim 18,

wherein the method is executed by computer executing code that defines a file system database block; See 2:5-54; 8:20-53; 9:1-46.

As to claim 19,

program instructions for examining a set of files selected to be recorded on the optical disc; See 2:5-54; 8:20-53; 9:1-46;

program instructions for creating a record data structure for each file in the set of files to be recorded on the optical disc; See 2:5-54; 8:20-53; 9:1-46;

program instructions for generating a set of pointers to associate record data structures with a writing order, the set of pointers defining a dynamically sequenced list of record data structures and the writing order being a sequence in which each file in the set of files is to be recorded onto the optical disc; See 2:5-54; 8:20-53; 9:1-46;

program instructions for processing each of the record data structures one after another in the writing order according to the dynamically sequenced list to produce ordering data structure for each file in a set of files, the ordering data structure having a pointer to a source location of a corresponding data file; See 2:5-54; 8:20-53; 9:1-46; and

program instructions for processing each ordering data structure to write the set of files onto the optical disc in the writing order; See 2:5-54; 8:20-53; 9:1-46.

As to claim 20,

wherein the record data structure includes one or more of a group of information strings comprising a file parent, a volume label index, a file size, a logical block number of a data file, a file path, a file attributes, a data mode, a removable media indicator, an embedded subheader string, and an imported file indicator; See 2:5-54; 8:20-53; 9:1-46.

As to claim 21,

designating data files to be written to system cache memory; See 2:5-54; 8:20-53; 9:1-46;

program instructions for assigning data files designated to be written to system cache memory to a specific location in system cache memory; See 2:5-54; 8:20-53; 9:1-46;

program instructions for verifying that the record data structures accurately define each of the set of files; See 2:5-54; 8:20-53; 9:1-46.

As to claim 23,

wherein the pointer to the source location includes one or more of a group of information strings referencing the corresponding data file and including a file source path, a file start offset, a file end offset, and a file pad to size; See 2:5-54; 8:20-53; 9:1-46.

As to claim 24,

wherein the processing of the each ordering data structures includes program instructions for passing the ordering data structure to a CD recording engine, the CD recording engine writing the set of files onto the optical disc in the writing order; See 2:5-54; 8:20-53; 9:1-46.

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As to claim 25,

receiving a request to write the set of files; See 2:5-54; 8:20-53; 9:1-46.

As to claim 26,

defining a file system database block; See 2:5-54; 8:20-53; 9:1-46.

Response to Arguments

Applicant's arguments with respect to claims 1-3, 5-21, and 23-26 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of


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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles L. Rones whose telephone number is 703-306-3030. The examiner can normally be reached on Monday-Thursday 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 703-305-3830. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3800.


Charles L. Rones
Primary Examiner
Art Unit 2175

December 15, 2003